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SPEECH

OF

MR. LAWRENCE

OF BELCHERTOWN,

IN THE

SENATE OF MASSACHUSETTS,

ON THE

AMENDMENT OFFERED BY MR. CUSHING

TO THE

LOWELL RAIL-ROAD BILL.

FEBRUARY 18, 1836.

BOSTON:

PRINTED BY J. T. BUCKINGHAM.

1836.

Mr. Cushing offered the following amendment to the Bill authorising the Lowell Rail-Road Corporation to increase their capital stock:—

And be it further enacted, That all rules, regulations and provisions, prescribed by the directors of said corporation, from time to time, as to the construction of wheels, form of cars, &c. and other matters touching the public use of said rail-road, by all persons complying therewith, as in the original act of incorporation specified, and also all such rates of toll per mile, for said use, as by said directors may, from time to time, be agreed upon and established—shall at all times be subject to the inspection, revision, alteration and control of the legislature, and who also may on application by law establish and declare said rates of toll at any time, if said directors shall neglect or refuse so to do—and all necessary facilities shall be furnished by said corporation, to the citizens of this Commonwealth, for their free and unrestricted enjoyment of the said rail-road, and said citizens shall have the right to place cars, locomotives and all carriages thereon, allowed as aforesaid, for the transportation of persons and property thereon, they paying the toll set as aforesaid, and in all respects complying with said rules, regulations and provisions.

SPEECH.

MR. PRESIDENT,

Certain significant words and phrases are in daily use at this board, which I am unable to comprehend. They seem to be English in their sound and pronunciation; but a meaning, other than the ordinary one, is attached to them. That meaning, Sir, I am at a loss to understand. Popular rights, the voice of the people, the majority of the people, the supremacy of the laws, monopolies, corporations, a power above the government, are constantly sounding in our ears. Every day, and every hour in the day, successive changes are rung upon these cabalistic terms by gentlemen, who profess to be peculiarly the friends of the people. As if there were, in fact, a party in favor of popular rights, and a party in favor of governmental rights, as if the government were hostile to the rights of the people, and existed independently of the people's will. Who and what, Sir, permit me to ask, are the members of this board? Are we not a portion of the people, the servants of their will, and the agents of their own? I have supposed, presuming as it may be, a portion of the people, and as such the sovereignty. But I may have mistaken. Sir, if there is any possible

meaning in these cabalistic terms, so often reiterated. It may be, that we are corporations, sole or aggregate, or, at least, chartered monopolies. One thing I know, that we are here by a majority of votes, whether of the people or of corporations.

We hear every hour, Sir, boasting professions of friendship for the dear people, and the most anxious concern expressed for the preservation of their rights. Now, Sir, actions speak louder than words, circumstances cannot lie. I have been taught to judge of a tree by its fruits. A pretty safe rule, Sir. I judge of a man, also, by his conduct, rather than by his professions, and though he may assure me, every hour in the day, that he is actuated solely by considerations of friendship to the people's rights, and yet votes to abridge their rights, and to restrict their privileges, and to lessen their enjoyments, I shall crave that gentleman's pardon, and think him a demagogue and hypocrite, falsely arrogating the language and tones of the preacher of equal rights. I feel about as much respect, Sir, for such professions, as I do for the man, who boasts of his religion or goodness, or for the lean, lank, and lantern-jawed old maid, who boasts of her chastity, when, perhaps, she is indebted for the possession of it, solely to the want of temptation. Away, Sir, with this paltry mode of courting popular favor. It is belittling, degrading, revolting. I will not give place to any man, in just respect to the rights of the people, nor will I ever cease to exert the little ability I may have, in their defence. But, Sir, I do not believe it necessary, at all times and seasons, to proclaim my devotion to their interests, and thus provoke suspicion by the very frequency of such declarations. No, Sir, let them judge of my motives by my conduct, and let that be the criterion of my respect to their rights. To my constituents I am responsible, and by their decision I am willing to abide.

Mr. President, I was educated a democrat, was early taught the true republican faith, to vindicate my own rights, and to respect the rights of my neighbors. I supposed myself still, justly entitled to the appellation. I am considered; at home, as sound in the faith of our fathers, and am so regarded by my friends and constituents. But, Sir, I find myself an utter stranger, both in feeling and sentiment, to this new-fashioned, clamorous, and dictatorial democracy, a democracy that arrogates to itself exclusive privileges, and under the name of equal rights, disfranchises a portion of the community, and proclaims to them, in the language of insolent triumph, we are holier than you. A democracy, that unblushingly boasts of its ardent attachment to popular rights, and the supremacy of the laws, and in the same instant, denies the petitions of the people a decent hearing, and tramples on laws, sanctioned by judicial decisions, and long experience of their utility. With such a spirit, and with such principles, call them what you will, democracy, or respect to the rights of the people; or regard to the supremacy of the laws, I can have no fellowship. No, Sir, the democracy, that I venerate and love, delights in supporting our institutions, civil and religious, and in protecting the rights of the whole people, and not a factious part, strives to diminish their burthens, and increase their comforts, aims at the general diffusion of intelligence, patronises virtue and religion, worships God, and respects man. This is the democracy, at whose shrine, I have ever worshipped, and ever will. This is the faith, in which I have lived, and in which I hope to die.

How very modest, as well as respectful is it, Sir, for certain gentlemen at this board, to assume the exclusive guardianship of the people's rights, and proclaim themselves the oracles of the people's will. How came you and I here, Sir? By what right do we occupy these

seats? Did we not come here at the command of the people, and do we not hold these seats in obedience to their will? What arrant nonsense, then, is it, for certain Senators to talk of *their kind regard* for the people, of their *peculiar* obedience to the will of the people, as if they were the only representatives of the people, and their doughty champions against us interlopers, tyrants, and usurpers. I hold my seat, Sir, at the will of the people, as expressed by a very comfortable majority of votes, for these *triangular* times. Yes, Sir, the people, the dear people, if you please, willed that I should come here, and let me assure the peculiar servants of the people, that the good people of the County of Hampshire, are as intelligent, though their choice may not seem to imply it; as patriotic, as jealous of their rights, as tenacious of their liberties, and as watchful of the conduct of their representatives, as the more highly favored citizens of Norfolk and Bristol.

The Senator from Norfolk, the other day, kindly tendered me his advice; I was indeed grateful for his paternal admonitions, knowing that they were offered in sincerity and for my good, as everything that comes from that gentleman is honest and well intentioned, especially his protestations of love for the people. He admonished me, Sir, not to deal in the language of sarcasm, and if I did, to see that my armor was kept well burnished, and ready for action. I confess, Sir, that I was somewhat surprised. I supposed that I was one of the plainest, most straight-forward, unsophisticated folks in the world. This shows how liable we are to self-deception. May not my friend and adviser be under a similar misapprehension, and be actually seeking his own interests, under color of zeal for the rights of the people. Such mistakes have occurred, Sir. The gentleman will allow me to talk pretty much in my own language, and pretty much

in my own manner. And if I should choose to answer a monopoly speech of his, that is so attenuated and wire-drawn, that I cannot find a point against which to direct a solid argument, he will excuse me, if I reply in the language of irony.

Gentlemen, Sir, are extremely sensitive on the subject of corporations. The mere enunciation of the word excites spasms, and its contemplation induces syncope and madness. I have great sympathy for such gentlemen, and sincerely lament their infirmity, but I cannot participate, in any degree, in their distrust, or apprehensions. No, Sir, I feel no horror on this subject—nor will I affect to feel any. If there be a single principle of Massachusetts policy, that stands out in bold relief, and commends itself to the conscience, the patriotism, the benevolence, and the cordial support of her citizens, it is this principle of incorporation. She owes more of her influence, more of her prosperity, more of her wealth, and more of her comforts to this principle of policy, than to any other. It is a truly democratic invention, enabling the powerless, by combined effort, to compete with the mighty; enabling the poor, by contribution of their mites, to compete with the rich; enabling the widow and the orphan to live and prosper, when their guardian and protector shall have mouldered into dust.

‘Corporations have no soul.’ True, Sir, but the corporators have. What is a corporation? It is a mere legal entity, invested by its charter, with certain rights and privileges of a person. It acts in the democratic mode, by a majority of votes, and whether its acts be right or wrong, that majority is responsible for them both to the public and their own conscience. Does my friend, who always respects the rights of the people, fear that the people will vote themselves to perdition, even if shielded by an act of incorporation? The apprehension

is entirely unnecessary. Why does he not produce instances of oppression and malpractices, as well as attempt to frighten us with imaginary grievances? For the best reason in the world, Sir, because they do not exist.

Corporations never die. Well, Sir, let them live. The corporators die, like other men, and their shares descend to their representatives. This concentrated capital, this irresponsible money power, as some gentlemen take great pleasure in denominating it, is dispersed and distributed, on the decease of its proprietors, like their other effects, with this difference, however, that it continues to operate, and to be operated upon, till the final settlement of the estate, as if the proprietor were still living. It is the veriest nonsense to talk of capital being so invested, as to acquire a specific operation, beyond the control of its owners. If we were to believe the doctrine of gentlemen on this subject, capital invested in corporations, quickens into life, acquires discretion and volition, breaks loose from the control of its owners, and tramples proudly upon the prostrate rights of the people. Gentlemen believe all this. They are honest, Sir. They do not set up this hue and cry for political effect. There is nothing of the spirit of hobby-riding here. No, Sir, the republic is in imminent danger, and we are so infatuated that we cannot see it; and these patriots, in the fullness of their hearts, endeavor to awaken us, and arouse the people to a just apprehension of impending ruin, from these chartered monopolies.

Gentlemen talk of tricks and frauds in legislation. We shall hear no more of them henceforth. The wisdom and shrewdness, and intelligence, and patriotism, collected about this board for the first time, forbids the idea of surreptitious legislation. I congratulate the people on this wonderful accession of talent, legislative skill, and glowing love to the people. 'Rejoice, O ye lands and be

glad.'—Imposture, circumvention and cunning, will henceforth be known here no more forever.

Is there cause for alarm, Sir? Are our institutions, liberty, or prosperity, in danger, from the multiplication of corporations? Is there any root of bitterness, artfully concealed, that will ultimately spring up and bring forth calamities, woes and death? Is there any just cause for these incessant predictions of disaster and ruin? If there be, Sir, it becomes us to search it out, and expose it to the people. I ask you, Mr. President, and you, gentlemen of the Senate, to take a cursory view of the territory of our ancient Commonwealth, and see if we can discern any cause for apprehension. Go back, Sir, the short period of thirty years, and contrast her population, resources and condition, at that period, with what they are now. Yes, Sir, go back only thrice ten years, to the good old linsey-wolsey and bean-porridge days, whose departure my friend laments so piteously, and inquire what has occasioned the wide difference in the wealth, the enterprise, the habits, and the comforts of our people. At that time, Sir, a sparse and scattered population toiled, early and late, to acquire a comfortable support. Denying themselves all superfluities, they were content with the bare necessities of life. Their circumstances being thus straitened, the children, as soon as of sufficient age, were taken from school, and put to work. Our rivers, and smaller streams, rolled on their waters to the ocean, undisturbed, except by an occasional saw or grist mill. Our numerous waterfalls sent forth their echoes into the adjoining forests, unmingled with the sound of the loom and spindle. The products of the farmer scarcely compensated their growth, and the labors of the mechanic, though incessant and severe, added but little to his stock of comforts. How is it now, Sir?—Wherever you go, the evidences of amelioration and improvement force themselves upon your

observation. Whichever way you cast your eyes, the factory village, smiling in its prosperity, greets your vision. Population has trebled ; the products of agriculture, and the mechanic arts, amply reward their producers. Society in general has advanced at a rapid rate, and prosperity attends, and success rewards every laudable enterprise. For this great and happy change in the condition of the Commonwealth, we are indebted mainly to the introduction of manufactures, and carried on under these fearful acts of incorporation. Yet the Senator, notwithstanding these facts stare him in the face, takes up his lamentation, and exclaims, with much apparent anguish, "the spinning is gone, the weaving is gone, private insurance is gone, private banking is gone, and transportation is about to go!" Yes, Sir, our lumber-carts and baggage-wagons are about to be laid up in ordinary—stage companies will be driven from our great thoroughfares, and our citizens will be constrained to submit to a rail-road passage, and accomplish with ease a journey of two or three hundred miles a day. How horrible to be drawn over the earth's surface at such a rate, how shocking to the sensibilities of the patriot, and alarming to the man of business! Did I cherish such doctrine as this, Sir, I would go on and deplore the disappearance of log-houses and log-fences, and protest against the substitution of neat and substantial dwellings, and permanent walls and hedges. I would be consistent and go the entire swine, and associate with swine, eat out of the same trough, and wallow in the same mire, wear a ring in my nose, as well as a collar about my neck. The Senator is undoubtedly sincere in all this. It would be more democratic to live in a log cabin, than in a palace ; to wear "hoddan grey and all that," than cloth of modern fabric and finer texture, especially if wrought by an incorporated company.

"The spinning is gone." Yes, Sir ; we are no longer

charmed with the music of the wheel—listlessness and silence pervade the spinning chamber. But how fares the lovely spinster in the meantime? Ah, Sir, she labored hard through the week, at her wheel or loom, and earned some thirty or fifty cents. Now, by comparatively easy labor, she earns in the same time, in a cotton-mill, two or three dollars. Then, the avails of her week's work would buy a solitary yard of India cotton—now, it will buy thirty yards equal in quality. 'This is a cruel thrust at our fair sisters. The change is, indeed, lamentable, and calls loudly for the patriotic remonstrances of the friends of the people.

"Private Insurance is gone"—and what a loss is that my countrymen? Before the establishment of Insurance Companies, the mercantile community had the privilege of paying five or seven times as much premium as they now do, and if they sustained a loss, often had the comfort of presenting their policy to insolvent underwriters. Has any Insurance Company in Massachusetts failed to pay its risks? Never. What a sad change is this come over the public, and how startling to the fears of the modern democracy? The merchants are safe, insurance companies are safe, and both prosperous and reciprocally beneficial. Well may my friend exclaim—private insurance is gone. Well may the real friends of the people raise their monitory voices against its re-establishment.

Transportation is about to be usurped by these villainous corporations. Rail-roads will soon, it is feared, pass along all our great thoroughfares, distancing competitors, and throwing out of their regular employment, stage owners, teamsters, and handcartmen. I am alarmed, Sir, greatly alarmed at the prospect. I feel constrained, in behalf of my constituents, to protest against these rash and disorganizing projects. Why cannot we be left to ourselves to climb the hills, and pass the valleys, in our

own way? Why authorize a few restless individuals to build a rail-road on the borders of my county, with its engines spouting fire and smoke, terrifying the old ladies, and frightening the cattle and horses? What good will it do,—a monster, a chartered monopoly—the people cannot run their wagons on it; and besides, our folks can get to market well enough as things are. It will only be a curse to the democracy, and put money into the pockets of monopolizers. I protest against it, Mr. President. I live in an agricultural community, in the midst of a staid and sober people, who labor six days in the week, and worship God on the seventh, and trust the affairs of government to their representatives. Corporations have almost ruined them already, Sir. They are compelled, much against their conscience, to take a dollar a bushel for rye and corn, and in that proportion for all their produce. They have a market at their own door, for all they have to sell; and, at this moment, they obtain better prices than would be paid in this city, for the same articles. They are growing rich, and unless something be done to check this swollen tide of prosperity, I fear they may depart from their steady habits, and become extravagant and luxurious. A result that I should deplore as heartily as my friend from Norfolk. Now, Sir, if a rail-road is to be built to Connecticut river, and my constituents be compelled to make the journey to and from Boston, in two days, which they now do with their teams, at their leisure, in six; and have to pay only six dollars per ton freight, instead of twenty dollars, I greatly fear the result. I dare not contemplate it in detail. They must be ruined, ruined utterly and forever. I call upon Senators, I implore them, if they have any bowels of compassion, to interpose and arrest these mad schemes, and save the good people of the West from this terrible catastrophe.

Corporations, Sir, have greatly increased our general wealth, millions and millions of dollars have been added to the State's aggregate wealth, by the introduction of manufactures, and manufacturing is chiefly carried on by incorporated companies. Millions and millions have been added by the increased value of real estate, consequent on the establishment of cotton and woolen mills in various parts of the State. Millions and millions have been added through the increased industry of our citizens and their advanced wages. Millions and millions have been added through the greater production and enhanced price of agricultural products. There is no mystery in all this. It is easily explained and understood. Many of the larger corporations have built their works on sites, that were almost valueless for agricultural purposes. The lands adjacent have consequently risen in value, some twenty, some fifty, and some an hundred fold. The products of these lands have proportionally increased in price. The inhabitants in the vicinity have ample and well-paid employment. Female labor that was formally productive of little profit is become a source of liberal income. The farmer and his sons grow rich by cultivating the soil, and his daughters earn liberal wages at the loom. The atmosphere, all around a well-conducted manufacturing establishment, seems impregnated with fertilizing properties, and enriching dews. This, Sir, is not a sketch of fancy, it is fact. Travel through the State, in any direction, and the evidence of unexampled prosperity will meet you at every step of your progress. Almost every river is thickly studded with villages, and every waterfall re-echoes the hum of manufacturing industry. Go through the counties of Middlesex, Worcester, and old Hampshire, and observe the effect of their several manufacturing establishments, and if you can longer doubt the expediency of encouraging corporations, I should think

you incurably blind, and sealed against conviction. Look at Leicester, for example, and show me a town that can rival it in splendor of appearance, and solid comforts. What would it have been, with its sterile soil and Lapland climate, without the aid of its manufactures. Look at Ware, cooped up by hills, and a soil whose hardness would make the flint-stone blush, and show me a rival of its prosperity. Look at Lowell—ah, Sir, Lowell—that sink of perdition, that hot-bed of ruin, that grave of virtue, that home of moral pestilence! Look again—is it indeed, a place for accumulated wrath to empty her phials? O, no. What is it? The most splendid manufacturing town on the continent—nay, more, considering its origin, the most splendid manufacturing town on earth. In 1820, her population was two hundred souls. Now she numbers 16,500. At the first period her whole territory would have constituted no great property—now her accumulated millions look formidable even in general statistical tables. Some seven or eight thousand operatives are daily employed in the different mills, and millions are annually disbursed in payment for labor and materials, and millions, it is hoped, will be ultimately earned in the shape of profits to gladden the hearts of the enterprising proprietors, and enable them to diffuse their beneficent influence still more widely. Now, Sir, all this is the result of the operation of manufacturing corporations, of chartered monopolies, as my friend delights to call them. Notwithstanding all this, Sir, notwithstanding the most conclusive evidence of their utility, and compatibility with our institutions, forces itself upon us from all quarters, we are exhorted, and exhorted in the name of the people, too, to embarrass their legitimate operations, by unwonted restrictions, to impose upon them additional burthens, and circumscribe their powers within narrower limits. This may be patriotic, this may be wise

legislation, but until I can perceive, clearly, both its patriotism and its wisdom, I shall adhere to my own convictions of right and expediency, and give every reasonable facility to the action of corporations. But while I would be liberal in the grant of powers, I would be strict in holding them to the powers granted, and would punish, with exemplary severity, every excess or wilful deviation.

Mr. President, I have a word to say to the gentleman from Norfolk, if the Senate will indulge me, as a lawyer. He sneers at the notion, that a charter of incorporation is a contract. If it be not a contract, or a grant on conditions, which is the same thing in effect, I would ask the gentleman to inform me, what it is. An agreement is defined to be a concurrence of two or more minds, or parties in the same thing. There are two parties to an act of incorporation, a granter and a grantee. The government, as granter, grants, for example, to petitioners for a bank, the privilege of banking, on condition that they pay into the State's treasury annually, one per cent. of their capital stock, and observe the rules and regulations, prescribed in their charter, and agree on their part to pay annually, the consideration required, and to observe the restrictions and limitations of the grant. Is not this a contract to all intents and purposes, and how is it distinguishable from a contract between individuals, except in form? Let the gentleman who is a good constitutional and common lawyer, answer if he can. But the government is omnipotent, is altogether above law, and cannot be bound by its acts of legislation. Is it so? Is a government incapable of binding itself? Is it incapable of so parting with its powers, that it cannot resume them at will? If this be so, what a farce is legislation, and what useless puppets are legislators? The gentleman admits that the government, omnipotent as he says it is, cannot interfere with the private transactions of its citizens, yet contends,

that corporators are at all times liable to its inquisitorial or vindictive visitations, that they are liable to be catechised, as to their private affairs, and be subjected to new impositions, and new restrictions. Are not corporators, citizens, and are not their private rights as sacred, and as worthy of respect as other citizens? Perhaps the fact of their becoming corporators, involves, in the opinion of my friend, a surrender of their ordinary rights. Possibly there may be a difference between A. as a corporator, and A. as a citizen. A. as a citizen, may defy the omnipotence of government, so long as he demeans himself peaceably, but A. as a corporator, is at all times liable to the requirements of government, however orderly and quiet he may be. This, Sir, seems to me strange doctrine, coming from any man of common sense, much more strange, coming, as it does, from a distinguished legal gentleman. Is there nothing in the old fashioned doctrine of vested rights? Has the world been deceived, on this subject, for centuries? Have the Mansfields and the Kenyons, and the Marshalls, who have so ably illustrated and vindicated the common law, been mistaken on this subject? I think not, Sir, although my friend differs from me, and he is high authority. Can it be, that a government has power to distribute its grants on condition, and rescind them at pleasure, after the condition is performed! A most unconscionable power, truly, if it be so. It must be a very safe operation, one would think, to invest funds on the faith of government, in internal improvements, or anything else, dependent on the government's charter.

No, Sir. This is not the true faith. My friend, in his zeal for popular rights, has overlooked the only sure foundation of the people's rights, as opposed to the powers of governments. Expunge the doctrine of vested rights, and you will expunge from the charter of our liberties, its dearest provisions, and give to government a weight of

authority, and a power of infliction, that no free or intelligent people could endure. The doctrine of vested rights, Sir, is the basis of all free governments, and every intelligent people have made it the corner-stone of their political edifice. In Europe, all the enlightened governments have considered the doctrine of vested rights, sacred and inviolable. To this strict and uniform observance of this class of rights, are they mainly indebted for their immense wealth, their commercial enterprise, and internal improvements. No government, whatever be its form, can exist long without making it a chief corner-stone in its foundation, and no people can advance far in civilization and refinement, without its all-powerful aid and stimulus.

The greatest good of the greatest number, says the gentleman, ought to be the aim and object of governments. I agree fully in the proposition, and am happy, for once, to accord with my friend. But let me ask him, what is the greatest good of the greatest number, where the action of government is concerned? Is it not the maintenance of the honor, and purity, and faith, of the government? Can any one calamity or misfortune affect a greater proportion of the whole number of citizens, than to have their government forfeit its honor, and purity, and plighted faith? The maintenance then of public faith, unsullied and above suspicion, is securing the greatest good to the greatest number. I infer, that a government by maintaining its faith pledged to corporations, and respecting the rights accrued under them, is thereby conferring the greatest good on the greatest number. When it ceases to do this, it will awake from its illusions, and find itself on the high road to perdition, and travelling with a speed, that will soon bring it to the end of its journey.

The gentleman, if I understand him, Sir, makes a still further distinction as to the privileges of the citizen, and

the corporator. If, for example, twenty persons contribute 5000 dollars each, to the stock of a manufacturing corporation, and conduct the business as a joint stock company, according to the provisions of the government's charter, they are not *of the people*, and must tamely submit to the exactions of the people's government. But if a Cræsus own this same establishment, and carry it on independently of the government's charter, *he is of the people*, and may laugh the people's government to scorn. A distinction, methinks, well worthy the modern school of politics. If twenty persons, comparatively poor, associate for the purpose of acquiring sufficient capital to conduct successfully the business of manufacturing, and ask the aid of government to simplify their operations, they expatiate themselves from the people, and put themselves beyond the government's protection. But a nabob may do all this without losing his plebian or patriotic character and privileges. I shall be slow, Sir, to adopt this distinction as a part of my political faith. It is one of the great excellencies of this invention, that it enables the poor, by association, to compete with the rich, and prevents the rich monopolizing all the great interests, that require large outlays of capital. Were this the only excellency of corporations, it would commend them, with great force, to the favorable regard of all wise governments.

My friend from Bristol, Sir, is in trouble. Notwithstanding his veneration for the laws, and his desire to maintain their supremacy, he asserts that if a rail-road corporation should attempt to locate a road over his land, although authorized by their charter so to do, he would resist even unto the death. Well, Sir, this may be right and patriotic, for aught I know, but it is, certainly, a very odd way of showing respect for the supremacy of the laws. I think, in like circumstances, that I should not be quite

so belligerent, but should let them take the land, and ask a jury of my peers to assess me reasonable damages. Perhaps this course would be quite as respectful to the laws, and as conducive of public good. After all, Sir, what is this mighty power, that gentleman grew so eloquent in describing? Why, Sir, exactly the power, that is exercised, and must be exercised, by every government, that makes roads. Private convenience must yield to the public good. Public convenience and necessity require the location of a high-way through my grounds, and the law of the land very properly authorizes them to take it, with or without my consent, by paying me a reasonable price therefor. And can it make any difference, as to the convenience or propriety of the conversion, whether the power be exercised by a municipal corporation, by a county or a town, or by a rail-road or turnpike corporation? I cannot apprehend any, nor do I believe that any exists, save in the deceased imagination of some Shylock, whose heart is encased in the ice of selfishness. The power and right are derived from the same source, in both cases, the supreme legislature.—This power has long existed in counties, and towns, and mill proprietors, and has been used by them whenever occasion called, and shall it be denied to rail-road corporations, who confer more beneficent influences upon the public, than almost any other class of corporations. A most flagrant absurdity, as it seems to me, and a most whimsical distinction.

Mr. President, go on, regardless of the clamors of aspiring selfishness, or the sneers of mulish ignorance. Halt not by the way, persevere until we arrive at the goal of our hopes. Onward, Sir, onward, and onward still, until the benign power of corporations shall have accomplished their greatest work, and have carried internal improvements to their ultimate perfection. Go on, right on, till rail-roads shall diverge from the metropolis, to the ex-

remotes of the Commonwealth, in all directions, carrying into every village, and hamlet, and neighborhood, the greatest facilities for intercommunication. Look, Sir, for a moment, over our common country, and witness the march, the bold, and rapid, and successful march of improvement, in several of the States. Suppose, Sir, the western rail-road finished. Take a seat in a Boston car in the morning, and arrive at Albany at evening, go on board a canal-boat and find yourself, next morning, at Utica, thence on to Rochester, Buffalo, and over the waters of the lakes, to the Mississippi, down its current to New Orleans, and home by the Atlantic. Show me, Sir, in all history, in olden, or modern time, a parallel to our own internal communications. And yet, let it be remembered, that this circuit of communication, grand and vast, and unparalleled as it is, is, much of it, the work of soulless corporations, chartered monopolies.

How magnificent, Sir, and animating is the prospect! Already the canal, and the rail-road, the steam-boat and the steam-car offer their facilities, in various quarters, for the transportation of passengers and commodities. Remote extremes are brought near. The mountain and the valley, the river and the lake, are alike easily passed, as if by the power of magic. The rapid currents of the great rivers of the West, are ascended by the power of steam, with almost the speed of the race-horse. Journeys, that required months for their accomplishment, are now performed, in as many days. New Orleans and St. Louis, Detroit and Passamaquoddy, Boston and Prairie du Chien, which were once regarded as at almost impassable distances, are now for the purposes of business or of pleasure, neighbors. The certainty of arrival and departure, and the ease, and expedition of these modern modes of conveyance, are of incalculable value to the man of business, and infinitely promote the general prosperity of our country.

No flight of imagination is, perhaps, too bold, to anticipate our increase in numbers, and wealth, and power, and national resources, during the current half century. The ratio of multiplication, large as it is, will probably increase, rather than diminish. The facilities for sustaining a dense population are daily multiplying in the Atlantic States, and every acre that is reclaimed at the West and South West, adds to the means of support. Every newly cultivated foot of ground, every loom, or spindle, increases the national wealth. Every yard of canvas that floats in the breezes, and every ton of shipping that swims on the waters of the ocean, contribute to swell the aggregate fund. Is it too much, then, for a sanguine imagination—indeed, is it too much for unexcited reason, to say, that our population will number its forty millions, that the pioneers of the “far West,” receding from the rich prairies, and fertile bottom lands of the valley of the Mississippi, will extend our frontier settlements to the Rocky Mountains, perhaps even to the gentle waters of the Pacific; that the scattered tribes of the wilderness will disappear, and the onward tide of emigration, continue to roll in successive waves, till arrested by that impassable barrier? What a picture is here presented to the contemplation of the patriot and philanthropist. Forty millions of freemen, inhabiting a country extending through some twenty degrees of latitude, and fifty of longitude, constituting one immense republic. Grand and imposing as this picture may seem, is the reality improbable? Our national debt is discharged, the treasury is overflowing, the national domain renews its millions annually, the ordinary revenue more than meets the usual expenditures of government. These resources, under an enlightened and patriotic administration, will be expended in facilitating intercommunication, in strength-

ening our national defences, and in consolidating the Union. Every year adds to our united strength, and renders our existence, as a republic, less problematical.

And now, Sir, what shall I say of the man, who, in cold blood, deliberately applies the axe to the root of this unexampled prosperity? Shall I call him a fool, or a madman? Sir, I will call him neither. From my inmost soul, I pity him. I envy him not his waking or his slumbering visions, his daily imaginings or his nightly dreams. A soul so narrow, a mind so enshrined with sordidness, and so dead to the rising glories of his country, I most sincerely pity. "O my soul, come not thou into his secret, and mine honor be not thóu, unto him, united."

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